

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)  
UNDER THE PATENT COOPERATION TREATY

In Re Application of: **RICOL et al.**  
U.S. Serial No.: 10/518,199  
(Nat. Phase of Int. Appl. No.: PCT/FR03/01863)  
U.S. Filing Date: December 16, 2004  
(Int. Filing Date: 18 June 2003)  
Title: COMPOSITE PROSTHETIC IMPLANT  
Atty Docket No.: 80350-1350

**CERTIFICATE OF MAILING UNDER 37 CFR 1.10**

Mail Stop PCT (DO/EO/US)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

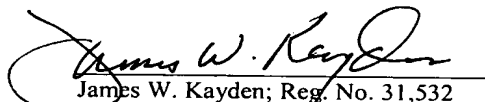
Sir:

Enclosed for filing in the above-captioned International application are the following documents:

1. Transmittal Letter (duplicate copy of fee page);
2. Copy of Notification of Missing Requirements under 35 U.S.C. 371;
3. Response to Notification of Missing Requirements under 35 U.S.C. 371;
4. Executed Combined Declaration and Power of Attorney; and
5. Return receipt postcard.

The Commissioner is authorized to charge the deposit account No. 20-0778 any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-0778.

Respectfully submitted,

  
James W. Kayden; Reg. No. 31,532  
Attorney for Applicant

**THOMAS, KAYDEN, HORSTEMEYER  
& RISLEY, L.L.P.**

Suite 1750  
100 Galleria Parkway, N.W.  
Atlanta, GA 30339-5948  
Telephone: (770) 933-9500  
Facsimile: (770) 951-0933

I hereby certify that all correspondence listed above are being deposited for delivery to the above addressee, with the United States Postal Service as "Express Mail", under Express Mail Label No. **EV558410904US** service under 37 CFR 1.10 on the date indicated below.

Date:

9 August 2005

  
Lara L. O'Brien

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

80350-1350

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/518,199

INTERNATIONAL APPLICATION NO.  
PCT/FR03/01863

INTERNATIONAL FILING DATE  
18 June 2003

PRIORITY DATE CLAIMED  
18 June 2002

TITLE OF INVENTION

COMPOSITE PROSTHETIC IMPLANT

APPLICANT(S) FOR DO/EO/US

RICOL et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

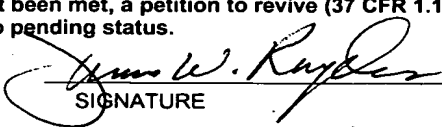
1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. **EY558410904US**
23. ☒ Other items or information:

**Return Postcard; Certificate of Express Mail; Copy of Notice to File Missing Requirements; Response to Notice to File Missing Requirements**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <b>10/518,199</b>		INTERNATIONAL APPLICATION NO. <b>PCT/FR03/01863</b>		ATTORNEY'S DOCKET NUMBER <b>80350-1350</b>	
The following fees are submitted:				<b>CALCULATIONS</b>	<b>PTO USE</b>
24. <input type="checkbox"/> Basic national fee .....		\$300	\$	\$0.00	
25. <input type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4). ....		\$100	\$	\$0.00	
All other situations. ....		\$200			
26. <input type="checkbox"/> Search fee .....					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....		\$100			
International Search Report prepared and provided to the Office .....		\$400			
All other situations. ....		\$500	\$	\$0.00	
<b>TOTAL OF 24, 25 and 26 =</b>			\$	\$0.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE		
- 100 =	0	/50 =	0	x	\$250.00
			\$	\$0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).			\$		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =	0	x	\$50.00	\$0.00
Independent claims	- 3 =	0	x	\$200.00	\$0.00
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/>			+	\$360.00	\$0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>			\$	\$0.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.			\$	\$0.00	
<b>SUBTOTAL =</b>			\$	\$0.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).			\$	\$0.00	
<b>TOTAL NATIONAL FEE =</b>			\$	\$0.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +			\$	\$0.00	
<b>TOTAL FEES ENCLOSED =</b>			\$	\$0.00	
			<b>Amount to be</b>	\$	
			<b>Amount to be</b>	\$	
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <b>20-0778</b>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
<p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p><b>KAYDEN, James W.</b>  <b>THOMAS, KAYDEN, HORSTEMEYER &amp; RISLEY, LLP</b>  100 Galleria Parkway, N.W., Suite 1750  Atlanta, GA 30339-5948  US</p>					
			SIGNATURE		
			<b>James W. Kayden</b>		
			NAME		
			<b>31,532</b>		
			REGISTRATION NUMBER		



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/518,199	Jean-Paul Gilbert Ricol	80350-1350

INTERNATIONAL APPLICATION NO.
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PCT/FR03/01863

I.A. FILING DATE	PRIORITY DATE
06/18/2003	06/18/2002

James W Kayden  
 Thomas Kayden Horstemeyer & Risley  
 100 Galleria Parkway N W  
 Suite 1750  
 Atlanta, GA 30339-5948

CONFIRMATION NO. 5197

371 FORMALITIES LETTER



\*OC000000016291675\*

Date Mailed: 06/17/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/16/2004
- Copy of the International Search Report filed on 12/16/2004
- Copy of IPE Report filed on 12/16/2004
- Preliminary Amendments filed on 12/16/2004
- Information Disclosure Statements filed on 12/16/2004
- Small Entity Statement filed on 12/16/2004
- Copy of references cited in ISR filed on 12/16/2004
- U.S. Basic National Fees filed on 12/16/2004
- Priority Documents filed on 12/16/2004

DOCKETED

RESPONSE DUE 8/17/05

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office should be mailed to the address given in the heading and include the U.S. application no. shown above (3710518199) and the name of the applicant (THOMAS KAYDEN HORSTEMEYER & RISLEY, LLP).

JUN 20 2005

*A copy of this notice **MUST** be returned with the response.*

DEBORAH D WILLIAMS

Telephone: (703) 308-9140 EXT 205

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/518,199	PCT/FR03/01863	80350-1350

FORM PCT/DO/EO/905 (371 Formalities Notice)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Confirmation No. 5197

RICOL et al.

Serial No: 10/518,199

Docket No.: 80350-1350

PCT Filing Date: 18 June 2003

For: COMPOSITE PROSTHETIC IMPLANT

**RESPONSE TO NOTICE TO FILE MISSING REQUIREMENTS**  
**UNDER 35 U.S.C. 371**

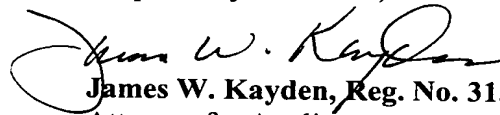
Mail Stop PCT (DO/EO/US)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Requirements mailed on June 17, 2005, the Applicant herewith submits a signed Combined Declaration and Power of Attorney in connection with the above-identified application.

If the Office believes that additional fees may be required, the Office is authorized to charge any deficiency to Deposit Account No. 20-0778.

Respectfully submitted,

  
**James W. Kayden, Reg. No. 31,532**  
Attorney for Applicant

**THOMAS, KAYDEN, HORSTEMEYER  
& RISLEY, L.L.P.**

100 Galleria Parkway, NW, Suite 1750  
Atlanta, Georgia 30339-5948

Date: 9-Aug 2005  
Customer No: 24504